

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

<b>IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>	<b>Master File No. 2:12-MD-02327 MDL No. 2327</b>
<b>THIS DOCUMENT RELATES TO: WAVE 4 CASES</b>	<b>JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>

**MOTION TO EXCLUDE THE OPINIONS AND  
TESTIMONY OF HOWARD JORDI, PH.D.**

Defendants Ethicon, Inc., Ethicon, LLC, and Johnson & Johnson (“Ethicon”) move to exclude the opinions and testimony of Howard Jordi, Ph.D. Dr. Jordi’s proposed opinion testimony is unreliable and irrelevant under the standard set forth in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993). Ethicon incorporates its Memorandum in Support of Motion to Exclude the Opinions and Testimony of Howard Jordi, Ph.D., and also the following exhibits:

1. List of cases to which this motion applies, attached as Exhibit A.
2. Excerpts from the *Lewis* Trial Transcript of February 12, 2014, attached as Exhibit B.
3. Howard Jordi, M.D. Expert Report of February 1, 2016, attached as Exhibit C.
4. Excerpts from the *Batiste* Trial Transcript of March 21, 2014, attached as Exhibit D.
5. Excerpts from the Howard Jordi, M.D. *Bellew* Expert Report of July 7, 2014, attached as Exhibit E.
6. C.R. Costello, et al, “Characterization of heavyweight and lightweight polypropylene prosthetic mesh explants from a single patient,” *Surgical Innovation*, Vol. 14, (2007), attached as Exhibit F.

7. A. Clave, et al., "Polypropylene as a reinforcement in pelvic surgery is not inert: comparative analysis of 100 explants," *Int. Urogyn. J. & Pelvic Floor Dysfunction* 21 (2010) 261-270, attached as Exhibit G.
8. A.J. Wood, et al, "Materials characterization and histological analysis of explanted polypropylene, PTFE, and PET hernia meshes from an individual patient," *J Mater Sci: Mater Med* (2013), attached as Exhibit H.
9. T. Liebert, et al., "Subcutaneous implants of polypropylene filaments," *J. Biomed. Mater. Res.* (1976), attached as Exhibit I.
10. Deposition of Scott Guelcher, M.D. taken March 25, 2014, attached as Exhibit J.
11. D.F. Williams, "Review biodegradation of surgical polymers," *Journal of materials science* (1982), attached as Exhibit K.
12. G. Sternschuss, et al., "Post-implantation alterations of polypropylene in the human," *Journal of Urology* (2012), attached as Exhibit L.
13. W. Jongebloed, et al., "Mechanical and Biochemical Effects of Man-Made Fibres and Metals in the Human Eye: A SEM Study, 61," *Documenta Opthamologica* 303 (1986), attached as Exhibit M.
14. IR Microscopy of Explanted Prolene (Sept. 30, 1987), ETH.MESH.12831391-1404, attached as Exhibit N.
15. Deposition of Howard Jordi, Ph.D. taken October 30, 2013, attached as Exhibit O.
16. Deposition of Jimmy Mays, Ph.D. taken March 2, 2016, attached as Exhibit P.
17. FDA Reclassification Letter, October 12, 1990, ETH.MESH.10665538-552, attached as Exhibit Q.
18. 7-Year Dog Study, October 15, 1992, ETH.MESH.017690752 – 756, attached as Exhibit R.
19. Steven MacLean Expert Report of February 14, 2017, attached as Exhibit S.
20. Deposition of Howard Jordi, Ph.D. taken August 19, 2014, attached as Exhibit T.

21. Deposition of Vladimir Iakovlev, M.D. taken September, 11, 2015, attached as Exhibit U.

WHEREFORE, FOR THESE REASONS and as more fully set forth in Ethicon's supporting memorandum of law, Ethicon respectfully requests that this Court enter an order granting Ethicon's Motion to Exclude the Opinions and Testimony of Howard Jordi, Ph.D.

Respectfully submitted,

ETHICON, INC., ETHICON LLC, AND  
JOHNSON & JOHNSON

/s/ David B. Thomas

David B. Thomas (W.Va. Bar #3731)  
THOMAS COMBS & SPANN PLLC  
300 Summers Street  
Suite 1380 (25301)  
P.O. Box 3824  
Charleston, WV 25338  
Telephone: 304.414.1807  
dthomas@tcspllc.com

/s/ Christy D. Jones

Christy D. Jones  
BUTLER SNOW LLP  
1020 Highland Colony Parkway  
Suite 1400 (39157)  
P.O. Box 6010  
Ridgeland, MS 39158-6010  
Telephone: 601.985.4523  
christy.jones@butlersnow.com

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

<b>IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>	<b>Master File No. 2:12-MD-02327 MDL No. 2327</b>
<b>THIS DOCUMENT RELATES TO: WAVE 4 CASES</b>	<b>JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>

**CERTIFICATE OF SERVICE**

I certify that on April 13, 2017, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ David B. Thomas

David B. Thomas (W.Va. Bar #3731)  
THOMAS COMBS & SPANN PLLC  
300 Summers Street  
Suite 1380 (25301)  
P.O. Box 3824  
Charleston, WV 25338  
Telephone: 304.414.1807  
dthomas@tcspllc.com